



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

m/023/016

FACSIMILE COVER SHEET

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TO: Kurt Seel
AGA

FAX NUMBER: 366-0352

FROM: Jelle

Minerals Reclamation and Development Program

PHONE: (801) 538-5291

FAX: (801) 359-3940

SUBJECT: Transitional RC & Security - Geneva Rock
Levan Gypsum - m/023/016

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From: Kurt Seel
To: Burns, Joelle
Date: 1/10/01 9:27AM
Subject: Proposed reclamation Contract and Surety Bond, Geneva Rock, Levan Gypsum

Joelle,

Thank you for forwarding the above contract and surety documents regarding the Geneva Rock Products, Inc. levan Gypsum facility, M/023/016. I have reviewed same and approve them. I have two comments however. On page 2 of the Surety Bond it would be nice to have the street address for Travelers Casualty & Surety Co. of America in the address portion of the signature block. (I assume Traveler's is on the Circular 570 and is active in the state of UT). *yes - A++ rating.*

This is on one page on the original document.
My second comment is a general comment regarding Casualty's use of an attachment to document the validity of the Power of Attorney. The document which begins "In witness whereof, traveler's Casualty and Surety . . . " states in the last paragraph that the "foregoing and attached power of Attorney and Certificate of Authority remains in full force. . ." The problem with this type of document, of course, is that it can be separated from the attached document or used to appear to validate any Power of Attorney because it does not describe the attached document in detail, i.e., it does not refer to Mr. W. Douglas Snow, the attorney -in-fact at all. However, because Traveler's is well known, there is an attached affidavit by Snow, and based upon the amount of the bond, I approve the documents as drafted.

If you have any questions, please don't hesitate to contact me.

Kurt Seel